

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	204326US-8X
First Inventor or Application Identifier	BRETT JENKINS
Title	SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR WIRELESS DATA TRANSMISSION OVER CONVENTIONAL TELEVISION FREQUENCY BANDS
Assignee Name	OPEN PIT NETWORK, INC.
Assignee Address:	104 Feeding Hills Road, Southwick, MA 01077

TO/6/01070
U.S.P.T.O.
C986 U.S. PTO
09/000143

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents		Assistant Commissioner for Patents: Box Patent Application Washington, DC 20231
--	--	---

1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17) (Submit an original and a duplicate for fee processing)
2. <input checked="" type="checkbox"/> Specification Total Sheets 35
3. <input checked="" type="checkbox"/> Formal Drawing(s) (35 U.S.C. 113) Total Sheets 30
4. <input type="checkbox"/> Oath or Declaration Total Pages
a. <input type="checkbox"/> Newly executed (original or copy)
b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. §1.63(d)) (for continuation / divisional w/ box 17 completed)
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §1.63(d)(2) and 1.33(b).
5. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (<i>Appendix</i>)
6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>
a. <input type="checkbox"/> Computer Readable Form (CRF)
b. Specification or Sequence Listing on:
i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or
ii. <input type="checkbox"/> Paper
c. <input type="checkbox"/> Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS	
7. <input checked="" type="checkbox"/> Assignment Papers were recorded at Reel/Frame 011316/0272	
8. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	
9. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney	
10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>	
11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations	
12. <input type="checkbox"/> Preliminary Amendment	
13. <input checked="" type="checkbox"/> White Advance Serial No. Postcard	
14. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>	
15. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	
16. <input checked="" type="checkbox"/> Other: Request for Priority List of Inventors	

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:

Continuation Divisional Continuation-in-part (CIP) of prior application no.:

Prior application information: Examiner:

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. Amend the specification by inserting before the first line the sentence:

This application is a Continuation Division Continuation-in-part (CIP)
of application Serial No. Filed on

Which was published in English

Which was not published in English

This application claims priority of provisional application Serial No. 60/216,769 Filed July 7, 2000

19. CORRESPONDENCE ADDRESS



22850

(703) 413-3000

FACSIMILE: (703) 413-2220

Name:	Bradley D. Lytle	Registration No.:	40,073
Signature:		Date:	July 9, 2001

Docket No. 204326US-8X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) BRETT JENKINS ET AL

SERIAL NO: New Application

FILING DATE: Herewith

FOR: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR WIRELESS DATA
TRANSMISSION OVER CONVENTIONAL TELEVISION FREQUENCY BANDS

FEES TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	34 - 20 =	14	× \$18 =	\$252.00
INDEPENDENT CLAIMS	3 - 3 =	0	× \$80 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS (If applicable)			+ \$270 =	\$0.00
<input checked="" type="checkbox"/> LATE FILING OF DECLARATION			+ \$130 =	\$130.00
			BASIC FEE	\$710.00
			TOTAL OF ABOVE CALCULATIONS	\$1,092.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$0.00
<input type="checkbox"/> FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
<input type="checkbox"/> RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
			TOTAL	\$1,092.00

Please charge Deposit Account No. 15-0030 in the amount of A duplicate copy of this sheet is enclosed.

A check in the amount of \$1,092.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030.
A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Registration No. 40,073

Date: July 9, 2001



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: BRETT JENKINS ET AL
SERIAL NO: NEW APPLICATION
FILED: HEREWITH
FOR: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR WIRELESS DATA TRANSMISSION
OVER CONVENTIONAL TELEVISION FREQUENCY BANDS

REQUEST FOR PRIORITY

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Full benefit of the filing date of U.S. Application Serial Number, filed, is claimed pursuant to the provisions of **35 U.S.C. §120**.

Full benefit of the filing date of U.S. Provisional Application Serial Number 60/216,769, filed July 7, 2000, is claimed pursuant to the provisions of **35 U.S.C. §119(e)**.

Applicants claim any right to priority from any earlier filed applications to which they may be entitled pursuant to the provisions of **35 U.S.C. §119**, as noted below.

In the matter of the above-identified application for patent, notice is hereby given that the applicants claim as priority:

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>MONTH/DAY/YEAR</u>
----------------	---------------------------	-----------------------

Certified copies of the corresponding Convention Application(s)

are submitted herewith

will be submitted prior to payment of the Final Fee

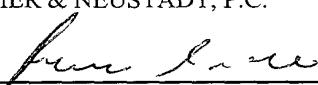
were filed in prior application Serial No. filed

were submitted to the International Bureau in PCT Application Number .
Receipt of the certified copies by the International Bureau in a timely manner under PCT Rule 17.1(a) has been acknowledged as evidenced by the attached PCT/IB/304.

(A) Application Serial No.(s) were filed in prior application Serial No. filed ; and
 (B) Application Serial No.(s)
 are submitted herewith
 will be submitted prior to payment of the Final Fee

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Registration No. 40,073



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/98)

Docket No. 204326US-8X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: BRETT JENKINS ET AL

FILING DATE: Herewith

FOR: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR WIRELESS DATA
TRANSMISSION OVER CONVENTIONAL TELEVISION FREQUENCY BANDS

LIST OF INVENTORS' NAMES AND ADDRESSES

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

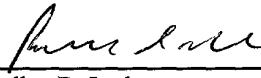
Listed below are the names and addresses of the inventors for the above-identified patent application.

BRETT JENKINS	WEST SPRINGFIELD, MA
JERRY D. CHASE	AVON, CT
WAYNE R. HOFFMAN	LONGMEADOW, MA
PAUL CORREA	KINGSTON, PA

A declaration containing all the necessary information will be submitted at a later date.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Registration No. 40,073

TOP SECRET//
COMINT//
NSA/CSS//
NOFORN

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 11/98)

100-1000